



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

July 2, 2018

9:30

Calendar No. 18-130:

2054 West 19 Street

Ward 3

Kerry McCormack

18 Notices

Tom Cook, owner, proposes to erect a 2.5 story, 2,239 square foot single family house with an attached garage on a 4,000 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet and the proposed lot area is approximately 4,000 square feet.
2. Section 357.08(b)(1) which states that in a Two-Family district the rear yard shall be no less than the height of the main building, thus the required rear yard shall be no less than 32'-2" and a 6'-0" rear yard proposed.
3. Section 357.09(b)(2)(C) which states that in a Two-Family district no interior side yard shall be less than (8) feet in width for a corner lot nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yard on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. Building height is approximately 32'-2" thus no interior side yard shall be less than 8'-1" and a 3'-0" side yard is proposed.
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed June 10, 2018)

9:30

Calendar No. 18-131:

2337 E. 33 Street

Ward 5

Phyllis E. Cleveland

11 Notices

Anthony Dixon, owner, proposes to build a 12' x 16' shed on a vacant lot in an A1 One-Family Residential District. The owner appeals for relief from the strict application of section 337.23(b) of the Cleveland Codified Ordinances which states that Accessory use (shed) is not permitted prior to erection of a main building. (Filed June 4, 2018)

9:30

Calendar No. 18-132:

**5801 Wetzel Ave./
Violation Notice**

Ward 13

Kevin Kelley

Corsendonk LLC., owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from Notice of Violation Number V18011479 issued on April 25, 2018 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02(c) of the Cleveland Codified Ordinances which states that

there shall be no change, substitution or extension in the use of any building or premises until the required use permit and Certificate of Occupancy has been issued by the Division of Building and Housing. (Filed May 23 with Board of Building Standards in error and filed with Board of Zoning Appeals June 4, 2018).

9:30

Calendar No. 18-134: 1565 E. 30 Street

**Ward 7
Basheer S. Jones
18 Notices**

Rockport Development, owner, proposes to establish use as restaurant in a B1 Semi-Industry District. The owner appeals for relief from the strict application of section 349.04(f) which states that Twenty-six (26) parking spaces are required for guests and staff and nineteen (19) spaces are proposed. (Filed June 7, 2018)

9:30

Calendar No. 18-135: 1977 W. 58 Street

**Ward 15
Matt Zone
9 Notices**

Arion Enterprises LLC., owner, proposes to erect a second story addition, new attached garage and new deck on existing one family house in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that the side street yard is required to be not less than 5 feet and 10 feet on third rear corner with aggregate side yards of 10 feet. Proposed house has 0' side street yard, and 5'3" aggregate proposed.
2. Section 357.09(b)(2)(A) which states that no Building shall be erected less than 10 feet from a main building on an adjoining lot; existing is less than 10 feet from adjacent rear house therefore the appellant proposes to expand on a nonconformance situation(359.01)
3. Section 357.08(b)(1) which states that the depth of required rear yard shall be not less than height of the main building; in this case 26 feet are required and 0' proposed.
4. Section 355.04 which states that the maximum gross floor area in "B" area district shall not exceed ½ lot area; in this case 2072.5 square feet are allowed and 2185 square feet are proposed.
5. Section 357.13(b)(4) which states that an open porch shall not project more than 6 feet and the proposed porch projects 15.5 feet. (Filed June 7, 2018)

POSTPONED FROM JUNE 11, 2018

9:30

Calendar No. 18-116: 9100 St. Clair Ave.

**Ward 9
Kevin Conwell
35 Notices**

Beverly Galloway, owner, proposes to construct a new nightclub and restaurant building in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(2)(F) which states that establishments for eating/drinking with entertainment are specifically excluded from Local Retail Business District; they are first

permitted in General Retail Business District and even in that district must be 500 feet from Residential Districts, day care centers, and churches per Section 347.12(a)(1). The proposed use is adjoining a residential district and a day care center (The Center for Families and Children Wade Park Early Learning Center at 9111 Yale Avenue), and within 500 feet of Mt Pisagh Baptist Church at 8830 St Clair Avenue, Church of Christ at the Blvd at 8837 St. Clair Avenue, and Straight Way Community Church at 9215 St. Clair Avenue.

2. Section 357.01(b) which states that a front yard setback equal to the average of the front setbacks of buildings within 100 feet or in this case, a 10 foot setback is required per 357.06(a).
 3. Section 349.04(e) which states that the required parking space area for a nightclub use is three times the gross floor area or in this case 66,600 square feet and 193 parking spaces are provided.
 4. Section 358.05(a)(2) states that a fence in the actual front yard shall not exceed 4 feet in height and a 6 foot tall fence is proposed. (Filed May 16, 2018-No Testimony)
- POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.